

Town Board Minutes

**Meeting
No. 28**

Regular Meeting

October 21, 1996

MEETINGS TO DATE 28
NO. OF REGULARS 20
NO. OF SPECIALS 8

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LANCASTER, NEW YORK
OCTOBER 21, 1996

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 21st day of October 1996 at 8:00 P.M. and there were

PRESENT: DONALD KWAK, COUNCIL MEMBER
JOHN MILLER, COUNCIL MEMBER
MARK MONTOUR, COUNCIL MEMBER
DONNA STEMPIAK, COUNCIL MEMBER
ROBERT GIZA, SUPERVISOR

ABSENT: NONE

ALSO PRESENT: ROBERT THILL, TOWN CLERK
ROBERT LABENSKI, TOWN ENGINEER
RICHARD SHERWOOD, TOWN ATTORNEY
ROBERT LANEY, BUILDING INSPECTOR
THOMAS FOWLER, CHIEF OF POLICE
JOHANNA COLEMAN, RECEIVER OF TAXES
CHRISTINE FUSCO, ASSESSOR

PERSONS ADDRESSING TOWN BOARD:

Lopian, Leslie, 3 Alyssum Court, spoke to the Town Board on the following matter:
Expressed opposition to a proposed 50 unit senior citizen residential complex east of Larkspur Subdivision.

Sherlein, Jack, 5 Alyssum Court, spoke to the Town Board on the following matter:
Expressed opposition to a proposed 50 unit senior citizen residential complex east of Larkspur Subdivision.

Silva, Ismael, 1 Caladium Court, spoke to the Town Board on the following matter:
Expressed opposition to a proposed 50 unit senior citizen residential complex east of Larkspur Subdivision

DeCarlo, Frank, 6 Hill Valley Drive, spoke to the Town Board on the following matter:
The use of surplus in the Part Town Fund to reduce an anticipated tax increase.

Kotwicki, Joyce, 246 Stony Road, spoke to the Town Board on the following matter:
Requested information on the current status of efforts to alleviate a surface water drainage problem on her property.

Kubicki, Gloria, 15 Maple Road spoke to the Town Board on the following matter:

1. Profits be made by not for profit corporations.
2. Traffic signal control at Wehrle Drive and Harris Hill and Pleasantview and Harris Hill

Cardinal, Roy, 103 Terrell Street, spoke to the Town Board on the following matter:

Suggested that a user fee be charged persons using Westwood Park.

Schneggenburger, Roy, 87 Stony Road, spoke to the Town Board on the following matters:

1. The need for housing for senior citizens.
2. Submitted a petition for a 30 mph speed limit on Stony Road.
3. The importance of volunteers for youth.
4. Time allotted at board meetings for the public to speak.

PUBLIC HEARING SCHEDULED FOR 8:30 P.M.:

At 8:30 P.M., the Town Board held a Public Hearing to hear all interested persons upon certain amendments to the Town Ordinance entitled Vehicle and Traffic Ordinance of the Town of Lancaster, County of Erie, State of New York, designated as Chapter 46-8 of the Code of the Town of Lancaster regarding Stop and Yield Intersections within Village on the Park, Michael's Landing, GlenHollow, Hunters Creek North, Stonybrook, Woodgate and Autumn Park Subdivisions.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

PROPONENTS

ADDRESS

None

OPPONENTS

ADDRESS

None

COMMENTS & QUESTIONS

ADDRESS

None

ON MOTION BY COUNCIL MEMBER MILLER, AND SECONDED BY COUNCIL MEMBER STEMPIAK AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 8:34 P.M.

The Town Board, later in the meeting, adopted a resolution, hereinafter spread at length in these minutes, taking favorable action upon this matter.

PUBLIC HEARING SCHEDULED FOR 8:40 P.M.:

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At 8:40 P.M., the Town Board held a Public Hearing to provide an opportunity for citizens to express community development and housing needs and to discuss possible projects which would benefit low and moderate income persons in the Town of Lancaster.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

SUGGESTIONS:

David Baehre, 5755 Genesee Street, asked that the funds be used for green space development in the north. Genesee Street area of the Town.

The Supervisor presented a letter from Daniel Baccari, Village of Lancaster Director of Community Development, requesting use of the funds to establish a loan pool fund for use by the Lancaster Village Partnership in assisting revitalization of the Central Business District of the Village of Lancaster.

ON MOTION BY COUNCIL MEMBER MILLER, AND SECONDED BY COUNCIL MEMBER STEMPIAK AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 8:47 P.M.

PUBLIC HEARING SCHEDULED FOR 8:50 P.M.:

At 8:50 P.M., the Town Board held a Public Hearing to hear all interested persons upon the proposed Special Districts Budget for the year 1997.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

PROPONENTS

ADDRESS

None

OPPONENTS

ADDRESS

None

COMMENTS & QUESTIONS

ADDRESS

Donald Symer, 610 Columbia Avnue

ON MOTION BY COUNCIL MEMBER MILLER, AND SECONDED BY COUNCIL MEMBER KWAK AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 9:00 P.M.

PRESENTATION OF PREFILED RESOLUTIONS BY COUNCIL MEMBERS:

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER KWAK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER STEMPNIAK TO WIT:

RESOLVED, that the minutes from the Regular Meeting of the Town Board
held on October 7, 1996 be and hereby are approved.

The question of the adoption of the foregoing resolution was duly put to a vote
on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 21, 1996

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER KWAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPNIAK, TO WIT:

WHEREAS, the Town Line Volunteer Fire Department, Inc., by letter dated
October 16, 1996, has requested the addition of the following member to the membership roster
of said fire association,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby confirms the
addition to the membership of the Town Line Volunteer Fire Department, Inc. of the following
individual:

ADDITION

Dawn Marie Grabenstatter
781 Schwartz Road
Lancaster, New York 14086

The question of the adoption of the foregoing resolution was duly put to a vote on
roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 21, 1996

File: RFIRE (P4)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MILLER , WHO MOVED
ITS ADOPTION, SECONDED BY
COUNCIL MEMBER KWAK . TO WIT:

WHEREAS, the Town Board of the Town of Lancaster, after review and consideration deems it in the public interest to request a traffic study to be performed by the State of New York, Department of Transportation (NYS DOT) on Route 33, Genesee Street east from the intersection of Genesee Street with Transit Road to include the intersection of Genesee Street with Stutzman Road, both Main Street intersections, and the Harris Hill Road intersection with Genesee Street, relative to reduction of the speed limit in this area of Genesee Street (Rte.33);

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That the Town Board of the Town of Lancaster hereby memorializes and requests the New York State Department of Transportation to perform a traffic study for potential speed reduction on Genesee Street (Rte. 33) in the Town of Lancaster from its intersection with Transit Road (Rte.78) running easterly to the intersection with Town Line Road; and
2. That the Town Clerk be and is hereby authorized and directed to furnish a certified copy of this resolution to the New York State Department of Transportation, with a request for said study.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 21, 1996

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MILLER , WHO MOVED
ITS ADOPTION. SECONDED BY
COUNCIL MEMBER MONTOUR , TO WIT:

WHEREAS, a Public Hearing was held on the 21st day of October, 1996, for the purpose of amending Chapter 46-Vehicle and Traffic Ordinance of the Code of the Town of Lancaster, and persons for and against such amendment have had an opportunity to be heard, and

WHEREAS, a Notice of said public Hearing was duly published and posted;

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That Chapter 46, Vehicle and Traffic Ordinance of the Code of the Town of Lancaster be amended in the form attached hereto and made a part hereof;
2. That said amendment be added in the minutes of the meeting the Town Board of the Town of Lancaster held on October 21, 1996;
3. That a Certified Copy thereof be published in the Lancaster Bee on October 24 1996.
4. That a Certified copy of the amendment be posted on the Town Bulletin Board;
5. That Affidavits of Publication and Posting be filed with the Town Clerk;
6. That the Highway Superintendent take whatever action is necessary to install signs in accordance with the Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 21, 1996

File: rvta

**LEGAL NOTICE
NOTICE OF ADOPTION
AMENDMENT TO VEHICLE & TRAFFIC ORDINANCE
TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK**

The Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, New York, designated Chapter 46 of the Code of the Town of Lancaster, is hereby amended as follows:

CHAPTER 46

STOP AND YIELD INTERSECTIONS.

§46-8, Stop Intersections designated, is hereby amended by adding thereto the following:

<u>STREET NAME</u>	<u>INTERSECTING STREET</u>	<u>SIGN LOCATION</u>
VILLAGE ON THE PARK SUBDIVISION		
Schiffler Court	Park Walk	N.W. Corner
Park Walk (Easterly Intersection)	Village View	N.W. Corner
Park Walk (Westerly Intersection)	Village View	N.W. Corner
MICHAELS LANDING SUBDIVISION		
Sagebrush	Lake Avenue	N.E. Corner
Ann Marie Drive	Sagebrush	N.E. Corner
GLENHOLLOW SUBDIVISION		
Michaels Walk	Michaels Walk	N.W. Corner
Cobblestone	Michaels Walk	N.E. Corner
Candlestick	Michaels Walk	N.W. Corner
HUNTERS CREEK NORTH		
Ryan	Clermont	N.W. Corner

STREET NAME **INTERSECTING
STREET**

STONY BROOK SUBDIVISION

Stonehedge	Westbury	N.E. Corner
Cedarbrook (Southerly Intersection)	Stonehedge	N.W. Corner
Cedarbrook (Northerly Intersection)	Stonehedge	N.W. Corner

WOODGATE SUBDIVISION

Old Post (Westerly Intersection)	Woodgate	N.W. Corner
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AUTUMN PARK SUBDIVISION

Entrance to subdivision at William Street		N.W. Corner
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October 21, 1996

STATE OF NEW YORK :
COUNTY OF ERIE : ss:
TOWN OF LANCASTER :

This is to certify that **I, ROBERT P. THILL**, Town Clerk of the Town of Lancaster in the said County of Erie, have compared the foregoing copy of Legal Notice with the original thereof filed in my office at Lancaster, New York, on the 21st day of October, 1996, and that the same is a true and correct copy of said original.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Town this 21st day of October.



Robert P. Thill, Town Clerk

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER KWAK . WHO MOVED
ITS ADOPTION. SECONDED BY
COUNCIL MEMBER STEMPIAK . TO WIT:

WHEREAS, Section 243 of the General Municipal Law of the State of New York authorizes municipalities to establish a Recreation Commission and appoint members thereto, and

WHEREAS, the Town Board of the Town of Lancaster after review and consideration re-established the Recreation Commission for the Town of Lancaster by Board resolution on June 3, 1996;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster, pursuant to the authority granted in the General Municipal Law Section 243, does hereby appoint the following persons as members of the Recreation Commission of the Town of Lancaster with their terms of office as set forth after their names:

- | | | |
|----|--|-------------------|
| 1. | JAMES A. EVERETT
24 Glendale
Lancaster, New York 14086 | 1 Yr. Term |
| 2. | WILLIAM STEIMER
70 Court Street
Lancaster, New York 14086 | 2 Yr. Term |
| 3. | JOHN F. DONOGHER
50 Old Post Road
Lancaster, New York 14086 | 3 Yr. Term |
| 4. | DAVID L. SUTTELL
55 Lombardy
Lancaster, New York 14086 | 4 Yr. Term |
| 5. | MARY LOUISE ARDINO
162 Main Street
Depew, New York 14043 | 5 Yr. Term |

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTGOMERY	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 21, 1996

File: rreccom

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA. WHO MOVED ITS
MOVED ITS ADOPTION. SECONDED BY
COUNCIL MEMBER KWAK , TO WIT:

WHEREAS, a vacancy exists in the position of Crossing Guard in the Police Department of the Town of Lancaster due to the resignation of **ARLENE SIKORKSI**, 100 Arlington Place, Depew, New York, and,

WHEREAS, the Police Chief of the Town of Lancaster has recommended the appointment of **CARL MEYERS**, 21 Main Street, Bowmansville, New York 14026 to fill the vacant position of Town of Lancaster Crossing Guard,

NOW, THEREFORE, BE IT

RESOLVED, that **CARL MEYERS**, 21 Main Street, Bowmansville, New York 14026, be and is hereby appointed to the position of School Crossing Guard, part-time seasonal, with no Town benefits, effective October 21, 1996, at a rate of \$6.00 per hour as set forth in the 1996 Schedule of Salaries, and

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 21, 1996

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR, TO WIT:

WHEREAS, Niagara Lutheran Home & Rehabilitation Center, 64 Hager Street, Buffalo, New York has submitted a Site Plan dated September 4, 1996 and received September 5, 1996, for the construction of **Greenfield Health and Rehabilitation Center** to be located on the south side of Broadway, east of Cemetery Road, and locally known as 5949 Broadway in the Town of Lancaster, and

WHEREAS, the Planning Board has reviewed the plan, and by letter dated October 3, 1996, recommended approval, and

WHEREAS, this project has been reviewed under the SEQR Regulations and an environmental review was held and a Negative Declaration was issued;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the Site Plan submitted by **Niagara Lutheran Home and Rehabilitation Center** for the construction of **Greenfield Health and Rehabilitation Center** to be located on the south side of Broadway, east of Cemetery Road, and locally known as 5949 Broadway in the Town of Lancaster, with plans prepared by Gordon W. Jones Associates, Architects dated September 4, 1996 and received September 5, 1996, subject to the following conditions:

1. That entrance driveway should include two (2) exit lanes and one (1) entry lane.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 21, 1996

File: rsite.096

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL MEMBER
KWAK, TO WIT:

RESOLVED, that the following Audited Claims be and are hereby
ordered paid from their respective accounts:

Claim No. 10567 to Claim No. 10799 Inclusive

Total amount hereby authorized to be paid: **\$930,335.48**

The question of the foregoing resolution was duly put to a vote on roll call which
resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 21, 1996

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR, TO WIT:

WHEREAS, Carmina Silvestri Architects, P.C. 4564 Bailey Avenue, Suite 200, Amherst, New York 14226, on behalf of **Epic Capital Corp.**, has submitted a Site Plan dated October 7 1996 and received October 9, 1996, for the construction of Epic Sports Dome to be located on the southwest corner of Wehrle Drive and Harris Hill Road, and locally known as 2793 Wehrle Drive in the Town of Lancaster, and

WHEREAS, the Planning Board has reviewed the plan, and at its meeting held on October 16, 1996, recommended approval, and

WHEREAS, this project has been reviewed under the SEQR Regulations and an environmental review was held and a Negative Declaration was issued;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the Site Plan submitted by **Carmina Silvestri Architects, P.C.** for the construction of **Epic Sports Dome** to be located on the southwest corner of Wehrle Drive and Harris Hill Road, and locally known as 2793 Wehrle Drive in the Town of Lancaster, with plans prepared by Carmina Silvestri Architects, P.C., dated October 7, 1996 and received October 9, 1996.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 21, 1996

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL MEMBER
MILLER TO WIT:

WHEREAS, Robert H. Giza, Budget Officer of the Town of Lancaster, on
September 30, 1996, duly filed the tentative budget of said Town for the fiscal year beginning
January 1, 1997, with the Town Clerk of said town, and

WHEREAS, the Town Clerk of the Town of Lancaster, duly presented said
tentative budget to the Town Board by letter dated October 2, 1996,

NOW, THEREFORE, BE IT

RESOLVED, that the preliminary budget shall be filed in the Office of the
Town Clerk of the Town of Lancaster and be made available by him to the public for inspection
during the regular business hours of the Town Clerk's Office, and

BE IT FURTHER

RESOLVED, that a Public Hearing on the Preliminary Budget of the Town of
Lancaster for the year 1997, be held by this Town Board at the Town Hall, 21 Central Avenue,
Lancaster, New York on the 4th day of November 1996, at 8:40 o'clock P.M., Local Time, and

BE IT FURTHER

RESOLVED, that the necessary Notice of Public Hearing upon the 1997
Preliminary Budget, as required by Section 108 of the Town Law of the State of New York, be
published in the Lancaster Bee, the official newspaper, on October 10, 1996, and be posted on
the Town Bulletin Board, which Notice shall be in the form attached hereto and made a part
hereof.

The question of the adoption of the following resolution was duly put to a vote
on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 21, 1996

**LEGAL NOTICE
TOWN OF LANCASTER
NOTICE OF PUBLIC HEARING
ON THE 1997 PRELIMINARY BUDGET**

NOTICE IS HEREBY GIVEN, that the Preliminary Budget of the Town of Lancaster, for the fiscal year beginning January 1, 1997, has been filed in the Office of the Town Clerk, 21 Central Avenue, Lancaster, New York, where it is available for inspection by any interested persons during office hours.

FURTHER NOTICE IS GIVEN, that the Town Board of the Town of Lancaster will meet and review said Preliminary Budget and hold a Public Hearing thereon at the Town Hall, 21 Central Avenue, Lancaster, New York, at 8:40 o'clock P.M., Local Time, on the 4th day of November 1996, and at such hearing, any person may be heard in favor of or against the Preliminary Budget as compiled, or for or against any item or items therein contained.

Pursuant to Section 108 of the Town Law, the proposed annual salaries of the following Town Officers are specified as follows:

Supervisor - as Supervisor	47,473.00
- as Budget Officer	4,924.00
Councilman	12,462.00
Councilman	12,462.00
Councilman	12,462.00
Councilman	12,462.00
Town Justice	26,970.00
Town Justice	26,970.00
Receiver of Taxes	38,233.00
Town Clerk - as Town Clerk	45,810.00
- as Records Management Officer	4,207.00
- as Registrar of Vital Statistics	900.00
- as Clerk to Zoning Board of Appeal	2,195.00
Superintendent of Highways	42,930.00

BY ORDER OF THE TOWN BOARD OF THE
TOWN OF LANCASTER

BY: ROBERT P. THILL, Town Clerk

October 21, 1996

THE FOLLOWING RESOLUTION WAS OFFERED
 BY COUNCIL MEMBER KWAK , WHO
 MOVED ITS ADOPTION, SECONDED BY
 COUNCIL MEMBER MILLER , TO WIT:

RESOLVED, that the following Building Permit Applications be and are hereby approved and the issuance of these Building Permits be and are hereby authorized:

CODES:

(SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town Lancaster are waived for this permit.

(CSW) = Conditional sidewalk waiver.

<u>No.</u>	<u>Code Applicant</u>	<u>Street Address</u>	<u>Structure</u>
3836	Moeller Bldrs	26 Michael's Wlk	Er. Sin. Dwlg
3837	William Russ	15 Old Post Rd	Install stove
3838	Windsor Ridge Partners	122 Siebert Rd	Dem. Sin. Dwlg
3839	Lovejoy Bldrs Inc	1160 Penora St	Er. Sin. Dwlg
3840	Nigel Enterprises Inc	44 Michael's Wlk	Er. Sin. Dwlg
3841	Wayne Wheatley	37 Westwood Rd	Er. Sin. Dwlg
3842	Jeff Conklin	535 Erie St	Ex. Sin. Dwlg
3843	Kids Korner	2655 Wehrle Dr	Er. Sign
3844	Paul Felski	3720 Bowen Rd	Er. Fence
3845	Beauty Pools	5612 William St	Er. Fence/Pool
3846	Mike Wetzel Remodeling	102 Newberry Ln	Er. Deck
3847	Advision Inc	5555 Genesee St	Er. Sign
3848	James Lux	25 Clermont Ct	Er. Sat. Dish
3849	James Macken	6479 Broadway	Ex. Sin. Dwlg
3850	Pete Cooper	27 Old Post Rd	Er. Deck
3851	James Pelletterie	5579 William St	Ex. Sin. Dwlg
3852	Jerome Oley	20 Parkdale	Er. Gar.Addition
3853	Paulette Koral	9 Winding Way	Er. Shed
3854	Linwood Health Care	1818 Como Park Blvd	Ex. Health Care
3855	Jean Oczytko	59 Brunck Rd	Er Garage/Dem Shed
3856	Roxann Esford	703 Erie St	Er. Pole Barn

3857	N Rosenthal	55 Lake Fst Pkwy E	Er. Shed
3858	Bradley Ras	52 Newberry Ln	Er. Fence
3859	James Szymanski	61 Country Pl	Er. Shed
3860	Northstar Const	80 Rotech Dr (Ind)	Ex. Warehouse
3861	Fred Polimeri	71 Newberry Ln	Er. Sin. Dwlg

and,

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby approved with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby approved with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 21, 1996

Supervisor Giza requested a suspension of the necessary rule for immediate consideration of the following resolution -
SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
MOVED ADOPTION, SECONDED BY COUNCIL
MEMBER MILLER, TO WIT:

WHEREAS, L. BRUCE KLINGLESMTIH, 1286 Town Line Road, Alden, New York, has made an application to the Erie County Sewer District No. 4 to be an "Out of District" customer at the following location:

-- 4684 Walden Avenue, Alden, New York (S.B.L. 95.00-2-34,1)

and.

WHEREAS, such application has been approved, subject to the Town of Lancaster granting permission for Mr. KLINGLESMTIH to become an "out of district" customer at the above location.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby grants L. Bruce Klinglesmith permission to become an "out of district" customer of Erie County Sewer District No. 4, for service to be limited to his property located on Walden Avenue (S.B.L. No. 95.00-2-34,1) Town of Alden.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIK	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 21, 1996

FILE: RODSWR4.96

Council Member Kwak requested a suspension of the necessary rule for immediate consideration of the following resolution:

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MILLER , TO WIT:

WHEREAS, the Town of Lancaster has constructed a concession stand/storage building facility at the Town owned Westwood Park, and

WHEREAS, the Lancaster-Depew Little League ("League") has requested permission to utilize the before mentioned facility on designated dates in return for furnishing equipment for the concession facility, and

WHEREAS, the Town Board has reviewed the request and offer and has deemed it in the public interest to utilize the said facility in this manner, and

WHEREAS, the Town Attorney has prepared an Agreement between the Town of Lancaster and the "League", which agreement sets forth terms and conditions for the use of the facility;

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to execute, on behalf of the Town, the Agreement between the Town of Lancaster and Lancaster-Depew Little League, for use of the concession facility at Westwood Park, in return for the "League" furnishing equipment to the concession area.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 21, 1996

File: raglleg

COMMUNICATIONS

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741. Buffalo City Clerk to Town Clerk -
Transmittal of resolution regarding municipalization of electric service and a possible partnership with Erie County and other government entity. **DISPOSITION: TOWN ATTORNEY**
742. NYS Dept. Agriculture and Markets to Town Clerk -
Notification of approval for regular electronic transfer of dog license data. **DISPOSITION: TOWN CLERK**
743. Cheektowaga Town Clerk to Town Clerk -
Transmittal of resolution re: opposition to exclusion of area hospitals regarding Community Blue Advantage Plan. **DISPOSITION: R & F**
744. Cheektowaga Town Clerk to Town Clerk -
Transmittal of resolution re: support of Lancaster Transportation Corridor Feasibility Study. **DISPOSITION: R & F**
745. Town Clerk to Town Board -
Establishment of a computerized "Legislation Library" in Clerk's Office containing over 1,500 sample ordinances. **DISPOSITION: R & F**
746. Town Clerk to Planning Board Chairperson -
Advisement of no monies received with application for site plan approval from Twin District V.F.C. for renovation project. **DISPOSITION: R & F**
747. Assembly Member Wirth to Highway Supt. -
Request list of projects for review by the NYSDOT re: Capital Projects Program. **DISPOSITION: R & F**
748. Village of Lancaster Historic District Committee to NYSDOT -
Request withholding of environmental impact study re: widening/reconstruction of Broadway in villages of Lancaster and Depew until 1/97 or later. **DISPOSITION: R & F**
749. County Dept. of Senior Services to Supervisor -
Comments and recommendations re: continuation of Lancaster van. **DISPOSITION: SUPERVISOR**
750. NYS Dept. Of Public Service to Supervisor -
Transmittal of posting notice re: consumer comments regarding the regulation of cable television service. **DISPOSITION: CABLE COMMISSION**
751. Police Chief to Building Inspector -
Request dedication of trade-in sum on transferred vehicle be added to 1997 .2 budget. **DISPOSITION: DIRECTOR OF ADMINISTRATION & FINANCE, SUPERVISOR**
752. Lancaster High School Motorcade Committee to Town Board -
Request permission for motorcade to travel through Town on evening of 10/25/96. **DISPOSITION: POLICE CHIEF**
753. Dep. Comm., County Div. of Budget, Management and Finance to Supervisor -
Notice of unavailability to serve as private paid consultant in Assessor's Office due to present employment. **DISPOSITION: R & F**
754. FCS Administrators, Inc. To Supervisor -
Request various steps be taken re: Lancaster Speedway noise and activities. **DISPOSITION: POLICE CHIEF**
755. NYS Dept. of Public Service to Adelphia Cable -
Notification of granting of Temporary Operating Authority for period 10/16/96 to 4/16/96. **DISPOSITION: SUPERVISOR, TOWN ATTORNEY**
756. Bill Barnack, Lancaster/Depew Soccer Club to Town Board -
Support of Epic Dome. **DISPOSITION: R & F**

757. NYSEG to Town -
Explanation of several electric service interruptions that have occurred in the Lancaster area during the past few weeks. **DISPOSITION: R & F**
758. Renaldo, Myers, Regan and Palumbo, P.C. to Town Board -
Notification that as a result of decision by ARC, all requirements have been satisfied re: site plan for Como Village Townhouses. **DISPOSITION: PLANNING COMMITTEE**
759. Cheektowaga Town Council to Town Board -
Request notification of any proposed developments especially those that would affect the Losson Rd./William St. corridor. **DISPOSITION: R & F**
760. Police Chief to Town Board -
Transmittal of check from Tops representing use of police vehicle with request that monies be deposited into D.A.R.E. account. **DISPOSITION: R & F**
761. Police Captain Suchyna to AHEPA #91 Inc. -
Advisement re: street names for apartments for senior citizens. **DISPOSITION: R & F**
762. Highway Supt. To State Assembly Member Wittrh -
List of four projects re: submittal for state aid. **DISPOSITION: R & F**
763. Town Attorney to Roy Schneggenburger -
Provision of copies of information requested under FOIL request. **DISPOSITION: R & F**
764. Dir. of Admin. and Finance to Town Board Members and Town Department Heads -
Explanation of Town's financial situation. **DISPOSITION: R & F**
765. Town Line V.F.D. to Town Board -
Notification of addition of member to active roster. **DISPOSITION: R & F**
766. Town Clerk to Media -
Notice of SEQR meeting to be held 10/21/96 re: Centerbrook Subdivision. **DISPOSITION: R & F**
767. NYSDEC to Dep. Town Attorney -
Advisement re: SEQR solicitation for lead agency, Centerbrook Subdivision. **DISPOSITION: R & F**
768. ECDEP to Dep. Town Attorney -
Results of SEQR review of Centerbrook Subdivision. **DISPOSITION: R & F**
769. Nussbaumer & Clarke, Inc. To NYSDEC -
Response to letter to Dep. Town Attorney re: SEQR solicitation for lead agency, Centerbrook Subdivision. **DISPOSITION: R & F**
770. Planning Board to Town Board -
Recommend approval of Majestic Pools site plan. **DISPOSITION: R & F**
771. Planning Board to Town Board -
Recommend approval of Twin District Fire Department site plan. **DISPOSITION: R & F**
772. Planning Board to Town Board -
Recommend approval of EPIC sports dome site plan. **DISPOSITION: R & F**
773. Planning Board to Town Board -
Minutes from meeting held 10/16/96. **DISPOSITION: R & F**
774. BFI of New York Inc to Supervisor -
Solid Waste Quarterly Report for 7/1/96 through 9/30/96. **DISPOSITION: R & F**

775. Ass't to Supervisor to IDA Consultant -
Advisement of 1996 payments in lieu of taxes. **DISPOSITION: R & F**
776. NFTC to Supervisor -
Invitation to NFTC/consultant presentation of draft municipal allocations 10/16/96.
DISPOSITION: R & F
777. Abate Engineering Associates to Town Engineer -
Recommendation that both bids be rejected for Town Hall and Opera House.
DISPOSITION: R & F
778. Ken Sharp to NYSEG -
Statistical report concerning wood pole lines. **DISPOSITION: R & F**
779. NYSBRPS to Supervisor -
Notice of Tentative State Equalization Rate For the 1996 Assessment Roll
hearing date 11/12/96. **DISPOSITION: R & F**

ADJOURNMENT:

ON MOTION OF COUNCIL MEMBER MILLER, AND SECONDED BY THE
ENTIRE TOWN BOARD AND CARRIED, the meeting was adjourned at 9:55 P.M.

Signed

Robert P. Thill

Robert P. Thill, Town Clerk